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C O N F I D E N T I A L BEIJING 001734

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TAGS: [PHUM](#) [PGOV](#) [PREL](#) [CH](#)  
SUBJECT: LIU XIAOBO ARRESTED ON SUBVERSION CHARGES

Classified By: Classified By: Acting Political Counselor Ben Moeling.  
Reasons 1.4 (b) and (d).

#### Summary

1. (C) A June 24 Xinhua press release announced the formal arrest of dissident writer and Charter 08 signer Liu Xiaobo on the charge of inciting the subversion of the state. PolOff contacted Liu Xiaobo's wife, Liu Xia, who confirmed the press release. Liu Xia said police had also told her that prominent human rights attorney Mo Shaoping, whom she had contacted about defending her husband, would be ineligible to participate in the trial since he was a signatory of Charter 08. On June 24, the Charge raised the case with the Ministry of Foreign Affairs, expressing the grave concern of the USG and urging China to release Liu Xiaobo. End Summary.

#### Press Release Announces Liu Xiaobo Arrest

2. (U) A June 24 Xinhua press release announced that the Beijing Municipal Public Security Bureau formally arrested Liu Xiaobo on the charge of inciting the subversion of the state. The press release noted that the arrest had been effected as a result of "rumor and slander including incitement to subvert state power and overthrow the socialist system." The press release further stated that the arrest had been approved by "Beijing public security organs" on June 23. (Note: Liu Xiaobo, who played a central role in organizing and drafting Charter 08, had been in administrative custody since his detention on December 8, 2008, a day prior to the document's publication. End note.)

#### Family Confirms Arrest

3. (C) PolOff spoke with Liu Xia, the wife of Liu Xiaobo, on the morning of June 23. Liu Xia confirmed the details of the press release, stating that police officials had visited her home on the same morning to advise her that her husband would be formally arrested on charges of inciting subversion and attempting to overthrow the state. Liu Xia said that police officials told her that prominent human rights attorney Mo Shaoping, whom she had approached to represent her husband, was ineligible to serve in the case because he was a signatory of Charter 08. PolOff noted that Liu's case continued to cause serious concern at high levels in Washington and that the Embassy would register its concern with the Chinese government. Liu Xia expressed appreciation for USG efforts.

#### Charge Registers USG Concern

4. (C) On the morning of June 24, the Charge raised Liu Xiaobo's case with Ministry of Foreign Affairs U.S. Division Counselor Ma Zhanwu. The Charge expressed the grave concern of the USG over the Liu's arrest for exercising his right of

free expression. The Charge told Counselor Ma that the United States urges China to release Liu Xiaobo and to cease the harassment of Chinese citizens who exercise their internationally recognized freedoms.

15. (C) On the afternoon of June 24, PolOff spoke with Shang Baojun, a lawyer in the Mo Shaoping law firm regarding Liu Xiaobo's case. Shang confirmed that Liu Xia had retained the firm to represent her husband. Shang said that he would accompany Mo Shaoping and Liu Xia to visit the Procuratorate on June 25 in order to arrange for Liu Xiaobo to consult with his attorney. The firm will also clarify Mo's eligibility to represent Liu Xiaobo after the assertion by the police officer who had informed Liu Xia of her husband's formal arrest that Mo was ineligible due to his signing of Charter 108. Shang said he was not aware of any legal basis Mo's exclusion and suspected that the police officer may not have been speaking authoritatively. If Mo were to be excluded from the case, Shang said that he and other lawyers from the firm would represent Liu. Shang noted that the charge of inciting subversion of the state was less severe than that of actual subversion but said he had no insight as how the Procuratorate determined the charge.  
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